

VILLAGE OF EMPIRE

LEELANAU COUNTY, MICHIGAN

PRIVATE ACCESS EASEMENT ORDINANCE - NO. 65

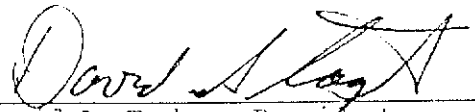
THE VILLAGE OF EMPIRE ORDAINS:

ACCESS TO LOTS IN PLATS:

1. In order to encourage the use of lands in accordance with their character and adaptability and the conservation of property values and natural resources, access to lots in any plats recorded in the Village of Empire, subject to individual plat approval by the Village Council of Empire, may be by a dedicated private way or by private easements.
2. The decision of whether to approve a plat without direct access by all lots to a public right-of-way, shall be based upon the following standards:
 - a) The protection of the natural resources, the health, safety and welfare, as well as the social and economic well-being, of those who will use the land, of the residents and land owners immediately adjacent to the proposed subdivision, and the community as a whole;
 - b) To provide, by easement, access to all lots for the transmission, distribution and maintenance of all private and public utilities, including but not limited to Village water, sanitary sewage, cable television, electricity and telephone transmission;
 - c) The intent and purpose of the Village of Empire Zoning Ordinance.
3. The owners (fee and/or by land contract) of the lots in any plat utilizing a private easement shall assume the liability for, and maintenance of, same under such terms and proportions as the plat restrictions may designate.

This Ordinance is adopted pursuant to Section 186 (f) of the Subdivision Control Act of 1967, as amended, and shall take effect the day following publication.

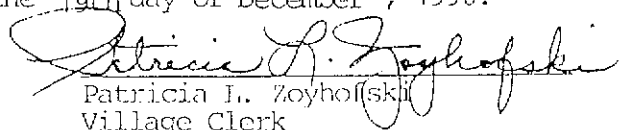
The foregoing Ordinance was adopted by the Village Council of the Village of Empire on the 18th day of December, 1990.



David A. Taghan, President

CLERK'S CERTIFICATE

The undersigned, Clerk of the Village of Empire, hereby certifies that the foregoing Ordinance was published in the Leelanau Enterprise on the 27 day of December, 1990, and that an attested copy of the same was filed with the Leelanau County Clerk's Office on the 19th day of December, 1990.



Patricia I. Zoyhoffski
Village Clerk